Public Consultation Strategy/Framework for Lower Mainland Infrastructure Projects

April 2003

Introduction and Purpose

There are currently several major new infrastructure projects being proposed for the Lower Mainland of British Columbia. These include the following:

Linear Projects

- Sea-to-Sky Highway Improvement
- South Fraser Perimeter Highway
- New Fraser River Crossing Project
- Richmond/Airport/Vancouver Rapid Transit Project

Non-Linear Projects

- Vancouver Convention Centre Expansion
- Roberts Bank – Deltaport Expansion
- Roberts Bank Extension – Terminal 2

Each of these projects is already (or over the next 2 to 3 years, will be) subject to review under the provincial environmental assessment (EA) process. Two additional projects of interest to the Lower Mainland public – the Garibaldi at Squamish Mountain Resort Project and the Ashcroft Ranch Landfill Project – are currently subject to the EA process.

The purposes of this *Public Consultation Strategy/Framework* are to:

a) provide a framework for principle-based Environmental Assessment Office (EAO) advice to Lower Mainland infrastructure project proponents to facilitate:
   - a consistent approach to consulting with the Lower Mainland public; and
   - consistent public expectations regarding their involvement in EA reviews.

b) provide a basis for the EAO to evaluate the adequacy of a proponent's consultation program and to identify 'gaps' that may require further attention by either the proponent or the EAO.

While First Nations may choose to participate in public consultation activities, a separate First Nations consultation initiative is always required for projects subject to EA review, guided by the *Provincial Consultation Policy (2002)*.

Effective Consultation Processes

Experience points to certain characteristics which foster a successful public participation or consultation process, and which help to ensure outcomes that reflect the interests and concerns of potentially affected people and parties. These include the following:

- The process seeks out and facilitates the involvement of those potentially affected.
- The process provides participants with the information they need to participate in a meaningful way.
- The process makes all reasonable efforts to identify the interests of, and meet the process needs of, participants.
- Participants are provided opportunities for meaningful input and public issues/concerns are considered in developing the project design and making project approval decisions.
- The process incorporates feedback and can evolve in response to the input and needs (access, format, etc.) of participants.
- The public participation process communicates to participants how their input

affected outcomes (*i.e.*, project design and review/approval decisions).

The process of defining and designing a major project in a large urban setting generally lends itself to two components or levels of public participation.

Components	*General Purpose*	
1. Broad or Regional Consultation (overall project)	*Inform:*	Provide the public with balanced and objective information to assist them in understanding the project, problems, alternatives and/or solutions
	Consult:	Obtain broad-based public feedback on analyses, alternatives and/or decisions generated for the overall project.
2. Community or Neighborhood Consultation (local issues)	*Involve:*	Work directly with local stakeholders to ensure public issues and concerns are consistently understood and considered.
	Collaborate:	Formulate innovative solutions by incorporating direct advice and recommendations into project design decisions to the extent practicable.

A description of suggested elements of the proposed components of consultation are attached as Appendix A.

The distinctions between the phases or levels are not absolute, and some participants will always feel that the current phase of consultation is either too broad or too narrow in focus. Local issues and concerns need not (and should not) be limited to a neighborhood phase of consultation. Neighbourhood elements may be incorporated into a broad project-based consultation program, particularly for linear projects affecting a series of more or less distinct communities.

Both components involve sharing information, obtaining feedback, and providing forums for dialogue based on a common understanding of objectives. While both components should be part of the program design, the extent, timing, and participants of each component will vary, depending on the focus. The sequencing and synchronizing of the consultation components should be tailored to the needs of the specific project. In practice, the neighbourhood-level consultation components will likely have a more separate and distinct role for linear projects.

Clear and documented connections between the two consultation components are important. Broad or regional components of consultation are project-wide in scope, involving the general public, as well as elected officials and high-level staff of local and regional governments and others. Neighbourhood elements generally involve potentially affected members of the public in local communities, as well as local government staff responsible for issues in these communities. Neighbourhood or issue-based consultation elements are generally designed, in part, on the basis of process advice gathered through initial rounds of broader consultation.

A consultation program should incorporate a clear mechanism for feeding issue-specific input gathered at the neighbourhood level into the broader consultation process in a systematic way. One such mechanism that has worked well for the Sea-to Sky Highway Improvement Project is a proponent-led Technical Liaison Committee (TLC). The TLC provides a forum to deal with project-wide concerns, as well as a table for directing, and receiving input from, appropriate local advisory forums (e.g., public workshops or meetings) to address specific local issues or concerns. TLC membership is somewhat dynamic. Core membership includes key regional and municipal government staff. Locally affected communities (municipalities, local interest groups and the general public) participate in sessions held in their vicinity of the project corridor, in some cases representing their interests through Community Advisory Groups.

Linear versus Non-Linear Projects

Consultation programs for both linear and non-linear projects need to contain elements of both regional and neighbourhood liaison, with the elements designed to reflect project circumstances and the needs of stakeholders. Consultation elements for linear projects tend to be more extensive and complex. Each potentially affected municipality and more or less distinct community or neighbourhood may need to be engaged. For linear projects, there will be a greater expectation for the consultations to be held locally (rather than for the public to come to a central location). This means holding sessions in communities throughout the project area. Furthermore, neighbourhood elements for linear projects may require greater flexibility to custom-design local advisory forums, depending on the nature and extent of concerns and the wishes of local interests.

Role of the EAO

Subject to EAO sign-off, the design and implementation of a public consultation program is primarily the responsibility of the proponent. The EAO provides proponents with advice on consultation program requirements, and confirms arrangements in its section 11 orders. As appropriate, the EAO will participate in consultation sessions by presenting the provincial EA process and explaining the procedures for technical review. This may involve attending open houses and public meetings, and making presentations to municipal councils and interest groups. Moreover, the EAO's electronic Project Information Centre, which is the EAO's formal mechanism for meeting its access to information obligations under the Public Consultation Policy Regulation, complements the proponent's efforts to provide notification and access to information on the project.

As part of the EA process, the EAO often forms advisory technical working groups of federal, provincial and local government agencies and First Nations to assist the EAO with the assessment. These working groups should receive, review and take into account proponent reports on the results of all consultation components. This will help to ensure that all potential effects of the project are identified, and that information requirements are developed, where necessary, to address any outstanding concerns.

At the pre-application stage, a formal public comment period – or some other process established by the EAO – may be organized to complement the proponent's efforts to

identify issues of concern. Public comments received will provide a second source of public input, helping to validate the proponent's reporting of issues. Another public comment period is usually scheduled during the EA application review stage of the process, to garner public feedback on how well the proponent has addressed the identified issues.

Under the Public Consultation Policy Regulation, the EAO must evaluate the adequacy of a proponent's consultation processes during the screening of the proponent's EA application (see Appendix B). To do this effectively, the EAO needs to be aware of and track all consultation elements. Potential shortcomings or 'gaps' should be identified when they become known (and without waiting for the screening step, if possible) to ensure that information is distributed in a timely manner and consultation occurs early enough to influence project design.

EAO Contact

This *Public Consultation Strategy/Framework for Lower Mainland Infrastructure Projects* is provided as advice to proponents and general information for the public. Refer to the *Guide to the British Columbia Environmental Assessment Process* (available online at www.eao.gov.bc.ca) for further information and advice on public consultation during the EA process.

For questions or clarification, please contact the Project Assessment Director/Manager assigned to a given project, or:

Alan Calder
Project Assessment Manager
Environmental Assessment Office
Tel 250.952.6507
Fax 250.387.2208
alan.calder@gems5.gov.bc.ca

Appendix A

Public Consultation Program Components

1. Broad or Regional Consultation

Initially this component of consultation is concerned with project definition and process design. Subsequent rounds of broad consultation are advisable at key project design or EA process milestones. Consultation programs typically end with a final reporting of outcomes to demonstrate to stakeholders that the process achieved its purposes.

Suggested Audience

The primary audience is the general public. Initially, mayors and council of affected municipalities should be provided with clear and timely notification of proposed projects that may affect their constituents. At the regional district level, the involvement of the Greater Vancouver Regional District (GVRD) in Lower Mainland infrastructure projects will help to ensure that projects are as consistent with the *Livable Region Strategic Plan* as possible. GVRD standing committees which may serve as useful sounding boards include:

- the Intergovernmental Advisory Committee, made up of senior staff of member municipalities, as well as provincial appointees; and
- Regional Administrators, Engineering, and Technical Advisory Committees.

Suggested Elements

Standard elements for informing the public and other key audiences include fact sheets, open letters, newspaper inserts, websites, briefings and presentations. Open houses and more structured general public meetings are also important forums for providing a clearer understanding the project and the review process, and for soliciting broad-based public feedback. Formal public comment periods are useful for documenting issues of concern to the public (the EAO is required to schedule them under the Public Consultation Policy Regulation). Workshops with elected municipal officials are another potential forum for broad-based feedback. Reports on results of consultation initiatives should be made publicly available.

2. Community or Neighbourhood Consultation

Community and neighbourhood consultation is generally focused on issues of particular interest to a subset of the public. In most cases, this is a process to identify and assess local technical issues (e.g. relevant to local neighbourhoods). For some (at least) of the Lower Mainland infrastructure projects, the potential for socio-economic (rather than biophysical) impacts may assume primary importance in the minds of potentially affected communities and neighbourhoods. While biophysical impacts would also be identified and will need to be resolved, issues such as public health and safety, cost-efficiency, noise, visual intrusion, impacts on land values, barrier effects and other potential disruptions will be of considerable interest and concern. Resolving these issues will involve working directly with local interest groups to ensure that concerns are understood and considered, and that innovative solutions are sought.

Suggested Audience

The general public within potentially affected communities or neighbourhoods are the primary audience. Staff of potentially affected municipalities may play a role in

coordinating the input of local interests, and may also help to identify key local interest groups and individuals to be involved in the detailed examination of issues.

Suggested Elements

Community and neighbourhood elements of consultation include community open houses and other public forums (workshops, more structured meetings) to identify local issues of concern. Where the broad or regional consultation sessions have already included neighbourhood components, these issues may already be known. For other projects, additional more focused public sessions may be needed.

Where needed to resolve specific local issues or concerns, a local advisory mechanism – such as a workshop, a design charette, or a standing advisory committee – may be used to analyse issues and propose solutions or options. A consultation program should include a clear mechanism for integrating issue-specific input gathered at the neighbourhood level, and feeding it back into the broader process in a systematic manner. Reporting on results of locally-focused consultation initiatives should be made publicly available.

Appendix B

Evaluating the Adequacy of a Proponent's Consultation Programs

Public participation and consultation processes are typically guided by the following principles of effective design.

Initial Design	
Clarity	Participants have a clear understanding of the goals and objectives of both the product (end) and the process (means).
Openness	Participants are clear on the scope of the process and have a shared understanding of each others' roles, responsibilities, and authority.
Appropriate process	Process makes reasonable efforts to facilitate the involvement and input of participants.
Appropriate timing	Process takes place when there is an opportunity to influence project review and design.
Appropriate resources	Sufficient budget, time, technology and expertise are invested in the process to suit product and process objectives.
Iterative Design	
Adaptive	The process evolves in an iterative fashion in response to the input and needs (access, format, etc.) of participants.
Implementation	
Balanced representation	Fair and comprehensive opportunities to participate are provided to people who represent the broad diversity of interests.
Ample opportunity	The process is flexible in providing a variety of communication and consultation formats to facilitate the involvement of a broad range of participants.
Adequate and timely information	Relevant and credible information is gathered to inform the process. Information is distributed to participants in a timely manner and in a suitable language and format.
Effective communication	The communication is multi-directional (not one-way), interactive and leads to a mutual understanding of interests.

An important role of the EAO is to monitor a proponent's consultation program on an ongoing basis. Under the *Public Consultation Policy Regulation*, the EAO assesses the adequacy and effectiveness of a proponent's consultation program during the screening of the EA application, once submitted. Established principles (such as those listed above) provide a useful basis for conducting such monitoring and assessment. The following additional criteria – a modification of those adopted by Vancouver City Council in 1998 – expand upon these principles and may be helpful in providing a further "litmus test" of the degree of success of each phase and element of the consultation process.

Mandating the Process

- ❒ The credibility, purpose, and objectives of the public involvement process are clear to all participants.
- ❒ The roles and interests of all participants are defined and effectively communicated.
- ❒ The public is involved in changing processes in which they participate.

Process Participants

- ❒ Everyone potentially interested in or affected by a process has an opportunity to become involved.
- ❒ The process has a balance of people who represent others and people who represent themselves.
- ❒ Efforts are made to include the under-represented and hard-to reach.
- ❒ Barriers to access are recognized and overcome; these include physical, communication, economic, language, ethnic and social constraints.
- ❒ Efforts are made to involve elected representatives during the process.

Involvement Strategies

- ❒ The public involvement process is transparent and deals openly with conflict and imbalances of knowledge in order to maximize participant input.
- ❒ The scope, goals, and objectives of the public process are repeatedly clarified.
- ❒ Processes have a balance of proactive and reactive techniques to ensure that input is representative, and that everyone who wants can be involved.
- ❒ Input is obtained from those that would be affected both negatively and positively by proposed actions. The tone of the process fosters creativity and encourages civility and mutual respect among all parties.

Communications Strategies

- ❒ All communications are effective, inclusive, and cover all necessary issues.
- ❒ The language of all written communications is clear, concise, objective and as free of technical jargon as practicable.
- ❒ Communication materials address relevant existing policy and procedure, history of the issues, alternative approaches to resolving issues, and their respective advantages and disadvantages.
- ❒ Communications regularly reiterate the basics of the process, such as schedule, decision milestones, progress and upcoming opportunities for involvement.
- ❒ Media is used regularly to provide general information to the public at large. Information or feedback is distributed regularly to participants and is also broadly distributed at intervals to anyone potentially interested in or affected by a process.

Resourcing the Process

- ❒ The public involvement process has adequate resources (financial, staff, community) to achieve the stated purposes.
- ❒ Assigned staff are trained in the conduct of public involvement processes.

Feedback and Closure

- ❒ Affected communities are informed of outcomes.
- ❒ Participants are convinced that a process has achieved its purpose at its completion.
- ❒ The process is evaluated to identify successes and shortcomings, and results are communicated to participants.